

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION)	CASE NO. 1:17-MD-2804
)	JUDGE POLSTER
THIS DOCUMENT RELATES TO:)	
"Track 7")	<u>ORDER REGARDING OBJECTION</u>
)	<u>TO DISCOVERY RULING 25</u>

On July 4, 2022, Special Master Cohen issued Discovery Ruling No. 25 (“DR-25”), *see* docket no. 4566. Among other conclusions, the Special Master found that plaintiff Montgomery County’s responses to Interrogatories 1 and 11 (first set) were sufficient, and its response to Interrogatory 5 (second set) was mostly sufficient but need minor supplementation.

Defendants object to these aspects of DR-25 and insist plaintiff’s responses to these three interrogatories are not sufficient and plaintiff must answer all of them more completely.

The Court concludes the Special Master’s rulings are correct and plaintiff’s responses are sufficient, *except that*, for purposes of clarity, plaintiff must supplement its responses by:

- specifically stating *either*: (a) that it (as opposed to its experts) has no knowledge whether any particular prescription was issued without a legitimate medical purpose or outside the usual course of professional practice (if this is true); *or* (b) which particular prescriptions it (as opposed to its experts) knows were issued without a legitimate medical purpose or outside the usual course of professional practice.
- providing whatever additional information it may have showing that any of the 115

particular prescribers it has identified was engaged in misconduct, such as diversion or issuing prescriptions without a legitimate medical purpose.

IT IS SO ORDERED.

/s/ Dan Aaron Polster

**DAN AARON POLSTER
UNITED STATES DISTRICT JUDGE**

Dated: July 26, 2022